

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-cv-00257-BR

UNITED STATES OF AMERICA for the)
use and benefit of SCHNEIDER)
ELECTRIC BUILDING AMERICAS, INC.,)
SPC MECHANICAL CORPORATION,)
and WATSON ELECTRICAL)
CONSTRUCTION CO., LLC,)
Plaintiffs,)
v.) ORDER
CBRE HEERY, INC. f/k/a HEERY)
INTERNATIONAL, INC., TRAVELERS)
CASUALTY AND SURETY COMPANY)
OF AMERICA, LIBERTY MUTUAL)
INSURANCE COMPANY, FIDELITY)
AND DEPOSIT COMPANY OF)
MARYLAND, and FEDERAL)
INSURANCE COMPANY,)
Defendants.)

This matter comes before the Court upon the Joint Stipulation for Dismissal with Prejudice of Plaintiffs Schneider Electric Building Americas, Inc., SPC Mechanical Corporation, and Watson Electrical Construction Co., LLC, and Defendants CBRE Heery, Inc. f/k/a Heery International, Inc., Travelers Casualty and Surety Company of America, Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, and Federal Insurance Company, to dismiss this case with prejudice pursuant to Fed. R. Civ. P. 41(a)(2), including Plaintiffs' Second Amended Complaint against these Defendants, Defendant CBRE Heery, Inc.'s Counterclaim against SPC Mechanical Corporation, and all claims that were or could have been pleaded arising out of the Project commonly referred to as the "Koritz Medical Clinic Replacement Project," located on the Seymour Johnson Air Force Base, in Goldsboro, North

Carolina, which is the subject of this litigation, with each of these parties to pay its own respective costs and attorneys' fees.

The Court, having been fully advised in the premises and having reviewed the Joint Stipulation for Dismissal with Prejudice, finds that the requested order of dismissal should be entered.

IT IS THEREFORE ORDERED that the Second Amended Complaint by Plaintiffs against Defendants CBRE Heery, Inc. f/k/a Heery International, Inc., Travelers Casualty and Surety Company of America, Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, and Federal Insurance Company in this action is dismissed WITH PREJUDICE;

IT IS FURTHER ORDERED that the Counterclaim by Defendant CBRE Heery, Inc. f/k/a Heery International, Inc. against Plaintiff SPC Mechanical Corporation in this action is dismissed WITH PREJUDICE;

IT IS FURTHER ORDERED that all claims that were or could have been pleaded arising out of the Project commonly referred to as the "Koritz Medical Clinic Replacement Project," located on the Seymour Johnson Air Force Base, in Goldsboro, North Carolina, which is the subject of this litigation are dismissed WITH PREJUDICE; and

IT IS FURTHER ORDERED that as to claims by and between Plaintiffs and Defendants CBRE Heery, Inc. f/k/a Heery International, Inc., Travelers Casualty and Surety Company of America, Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, and

Federal Insurance Company, each party shall pay its own costs and attorneys' fees.

This 6 January 2022.

A handwritten signature in green ink, reading "W. Earl Britt", positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge